

1 : 21-mc-102
Trial Judge: Alvin Hellerstein

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 9th day of February, two thousand and eleven,

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: **FEB. 10, 2011**

In Re: World Trade Center Lower Manhattan Disaster Site **ORDER**

Docket Number: 10-2794

Richard Racioppi, Alex Anthony Sanchez, Rafael Valdez, Manuel Checo, Dorota Markut, Roman Markut, Lucyna Foremska, Tadeusz Foremska, Jose Bello, Bozena Kurkowski, Janus Kurkowski, Ludmila Khomik, Voldymyr Khomik, Gustavo Iturralde, Monica Arce, Miguel Zanabria, Ryszard Krysiuk, Viasta Krysiuk, Columbina Estrella, Leonardo Estrella, Marco Fernandez,

Plaintiffs - Appellees - Cross - Appellants,

Richard Dambakly, Dorothy Dambakly, Edward Deery, James Goldsworthy, Donna Goldsworthy, Philip Kirschner, Timothy Lombardi, Janice Lombardi, Philip Mattera, Laura Mattera, Steven Mozes, Amy Mozes, Arthur Noonan, Denise Noonan, Devrin Perdue, Goldie Perdue, Stanley Salata, Christine Salata, Richard Srnioukas, Truzzolino Barbra, Michael Vandergriff, Angela Vandergriff,

Claimants - Appellants,

v.

Tully Construction Co., Inc., City of New York, AMEC Construction Management, Inc., Bovis Lend Lease LMB, Inc., Plaza Construction Corp., Turner Construction Company, Tully Construction Co., Inc.,

Fleet Trucking, Inc., A. Russo Wrecking, Inc., AMEC
 Earth & Environmental, Inc., Atlantic-Heydt
 Corporation, Berkel & Company Contractors, Inc., Big
 Apple Wrecking & Construction Corporation, Board of
 Education of the City of New York, Breeze Carting,
 Inc., Breeze National, Inc., Brer-Four Transportation,
 Buro Happold Consulting Engineers, PC, C.B.
 Contracting Corporation, Canron Construction
 Corporation, Component Assembly Systems, Inc., Cord
 Contracting Co., Inc., Dakota Demo-Tech, Diamond
 Point Excavating Corporation, Diversified Carting, Inc.,
 DMT Enterprise, Inc., E.J. Davies, Inc., Eagle One
 Roofing Contractors, Inc., En-Tech Corporation,
 Evergreen Recycling of Corona, Ewell W. Finley, P.C.,
 Executive Medical Services, P.C., Francis A. Lee
 Company, FTI Trucking Corporation, Gilsanz Murray
 Steficek, LLP, Goldstein Associates Consulting
 Engineers PC, Hallen Welding Service, Inc., HP
 Enviornmental, Inc., Hudson Meridian Construction
 Group LLC, J.P. Equipment & Rental Materials,
 L.L.C., La Strada General Contracting Corporation,
 Laquila Construction, Inc., Leslie E. Robertson
 Associates, R.L.L.P., Liberty Mutual Insurance
 Company, Lockwood Kessler & Bartlett, Inc., Lucius
 Pitkin, Inc., LZA Technology - a division of Thornton
 Tomasetti Manafort Brothers Incorporated, Yonkers
 Contracting Company, Inc., Yannuzzi & Sons, Inc.,
 WSP Cantor Seinuk, Mazzocchi Wrecking, Inc.,
 Wolkow Braker Roofing Corporation, Moretrench
 American Corporation, MRA Engineering P.C., Royal
 GM Inc., Weidlinger Associates P.C., Weeks Marine,
 Inc., SAB Trucking, Inc., Mueser Rutledge Consulting
 Engineers, Nacirema Industries Inc., New York City
 Department of Education, New York City School
 Construction Authority, New York Crane & Equipment
 Corporation, Vollmer Associates LLP, Turner/Plaza, A
 Joint Venture, Tucci Equipment Rental Corporation,
 Total Safety Consulting, LLC, Thornton Tomasetti,
 Inc., Rodar Enterprises, Inc., City University of New
 York, Nicholson Construction Company, Peter
 Scalamandre and Sons, Inc, Pinnacle Enviornmental
 Corporation, Pro Safety Services Inc., Skidmore
 Owings and Merrill, L.L.P., Skanska Koch, Inc.,
 Simpson Gumpertz & Heger, Inc., PT&L Contracting
 Corporation, Robert L. Gerosa, Inc., Robert Silman

Associates, P.C., Safeway Environmental Corporation,
Semcor Equipment & Manufacturing Corporation,
Silverite Contracting Corporation,



Defendants - Appellants - Cross - Appellees.

The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to Local Rule 42.1. Each party has submitted a separate electronically signed counterpart reflecting the negotiated terms of the stipulation.

The stipulations are hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit